



Docket No.: 1793.1132

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Sung-Hee HWANG

Application No. 10/760,307

Group Art Unit: 2627

Confirmation No. 3230

Filed: January 21, 2004

Examiner: Muhammad N. Edun

For: APPARATUS TO GENERATE A BIT CLOCK AND A METHOD OF GENERATING THE BIT CLOCK

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed October 18, 2006.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of various claims. However, the Examiner has not recited the appropriate language for the appropriate claims as pending and allowed in the application.

By way of example, the Examiner indicates that the prior art of record alone or in

combination does not teach or suggest the apparatus and method for generating a bit clock synchronized with the digital signal having the combination of elements and steps with their recited function and process, along with the specific function and process: generating the bit clock based on the counted number of the first counter or at a channel bit interval, if the counted number of one of the first edge counter and second edge counter is equal to a first predetermined value, as set forth in claims 1-29.

The Examiner has not recited the specific language as set forth in the independent claims. Notably, there is no recitation of the term "synchronized" or "combination of elements and steps with their recited function and process, along with having the specific function and process..."

In addition, independent claim 18 recites "a bit clock generating unit generating the bit clock based on one of count values of the first counter and a channel bit interval..." and independent claim 20 recites "a bit clock generating unit generating the bit clock based on a count value of the first counter or at a channel bit interval..."

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

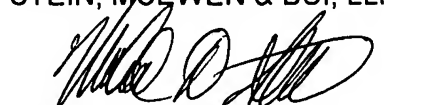
It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

By:



Michael D. Stein
Registration No. 37,240

Date: 1/17/07

1400 Eye St., N.W., Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510